UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1999/762
7 July 1999

ORIGINAL: ENGLISH

LETTER DATED 7 JULY 1999 FROM THE CHARGÉ D'AFFAIRES, A.I. OF THE PERMANENT MISSION OF ERITREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith a press release issued today, 7 July 1999, by the Ministry of Foreign Affairs of the State of Eritrea concerning two private communications, in writing, from the Chairman of the Organization of African Unity High-Level Delegation to the President of the State of Eritrea and their ramification on the Framework Agreement (see annex).

I should be grateful if you would kindly circulate the present letter and its annex as a document of the Security Council.

(Signed) Tesfa Alem SEYOUM
Chargé d'affaires, a.i.

99-20102 (E) 070799

/...

Annex

Press release issued by the Ministry for Foreign Affairs of Eritrea on 7 July 1999

Eritrea rejects any tampering with the Organization of African Unity Framework Agreement

Ethiopia has yesterday published the private letters that the Chairman of the Organization of African Unity (OAU) High-Level Delegation sent to the Eritrean President on 8 May and 20 May, respectively. How Ethiopia obtained copies of these private letters remains a mystery. The fact is that Ethiopia appears to have an inside track on the workings and documents of the High-Level Delegation. Indeed, this is not the first time. Ethiopia also received the full report of the OAU Ambassadorial Committee last year while Eritrea remained in the dark.

In regard to the letters, what is obvious is their contradictory content although they were written within the space of nine days. The first letter speaks about Eritrean redeployment from "Ethiopian territories occupied after 6 May". The second letter retracts the grave error qualifying it as: "our clear and renewed understanding is that this redeployment will not prejudge in any manner the claims held by either party regarding these areas". So are we talking about "occupied territories or contested territories". What is the location of these areas relative to the established boundary between the two countries? The truth is that all these areas fall within Eritrea's recognized boundary although they appear to be incorporated in Ethiopia's new and illicit map of 1997.

Moreover, the letters are in complete contradiction to the official clarifications that the High-Level Delegation provided to Eritrea on 26 January 1999, requesting, inter alia, "the redeployment of the troops of both parties from the entire boundary" with the exception of Badme from which Eritrea was expected to make a unilateral withdrawal as "a mark of good will" to OAU.

They are also in complete contradiction to the terms of reference of the OAU Ambassadorial Committee of last June, which was confined to the "collection from the two Parties and any other appropriate international organization and agency, information which would make it possible to determine the authority which was administering Badme before 12 May 1998". Eritrea then sought, in vain, to extend the mandate of the Committee to include all areas under dispute. But the OAU High-Level Delegation declined the request insisting that its mandate was confined "to ascertaining the situation in Badme". How is it that these letters now appear to grapple with issues that the High-Level Delegation has consistently refused to investigate?

It must be borne in mind that the OAU secretariat remains inaccessible to Eritrea as Eritrea's Ambassador to the organization was expelled illegally by Ethiopia in violation of the Vienna Convention and the Headquarters Agreement. Yet, these letters and "new recommendations" on the conflict continue to be drafted in Addis Ababa by people with little or no access to the second party.

These appalling acts sadden Eritrea. In the event, Eritrea wishes to underline once more that it will not accept any tampering with the Framework Agreement under any guise.